

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

KRISTINE KRZYWDZINKI,

Plaintiff,

v.

Case No.: 21-cv-12461

District Judge Gershwin A.  
Drain  
Magistrate Judge Anthony P.  
Patti

COMMISSIONER OF SOCIAL  
SECURITY  
ADMINISTRATION,

Defendants.

**ORDER: (1) ACCEPTING AND ADOPTING REPORT AND  
RECOMMENDATION [ECF NO. 22]; (2) DENYING PLAINTIFF'S  
MOTION FOR SUMMARY JUDGMENT [ECF No. 17]; (3) GRANTING  
DEFENDANT'S MOTION FOR SUMMARY JUDGMENT [ECF No. 19];  
AND (4) AFFIRMING THE COMMISSIONER'S DECISION**

This matter is before the court on Magistrate Judge Anthony Patti's Report and Recommendation dated February 13, 2023. It recommends that the Court: deny the Plaintiff's motion for summary judgment [ECF No. 17]; grant Defendant's motion for summary judgment [ECF No. 19]; and affirm the commissioner's decision. [ECF No. 22. PageID.1729].

Neither party has filed objections to the Magistrate Judge's Report and Recommendation, and the 14-day time period for filing objections has expired. *See* Fed. R. Civ. P. 72(b)(2). Upon review of the parties' briefing and the Magistrate Judge's Report and Recommendation, the Court concludes that the Magistrate Judge reached the correct conclusion. Therefore, the Court hereby **ACCEPTS** and **ADOPTS** Magistrate Judge Patti's February 13, 2023, Report and Recommendation [ECF No. 22] as this Court's findings of fact and conclusions of law. Plaintiff's Motion for Summary Judgment is **DENIED**; Defendants' Motion for Summary Judgment [ECF No. 19] is **GRANTED**; the Court **AFFIRMS** the commissioner's decision

IT IS SO ORDERED.

Dated: March 20, 2023

/s/Gershwin A. Drain  
GERSHWIN A. DRAIN  
United States District Judge

#### CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on March 20, 2023, by electronic and/or ordinary mail.

/s/ Teresa McGovern  
Case Manager